

## NOTICE OF FINANCIAL ASSISTANCE AWARD

Under the authority of Public Law 95-91, U.S. Department of Energy Organization Act

<b>1. PROJECT TITLE</b> <b>Model Grant for FOA Entitled "Demonstration of Electron Beam Technology for SO<sub>2</sub> and NO<sub>x</sub> Reduction"</b>		<b>2. INSTRUMENT TYPE</b> <input checked="" type="checkbox"/> GRANT <input type="checkbox"/> COOPERATIVE AGREEMENT	
<b>3. RECIPIENT</b> (Name, address, zip code)		<b>4. INSTRUMENT NO.</b> <b>DE-FG02-XXXXXXXXXX</b>	<b>5. AMENDMENT NO.</b> <b>A000</b>
		<b>6. BUDGET PERIOD</b> FROM:                      THRU:	<b>7. PROJECT PERIOD</b> FROM:                      THRU:
<b>8. RECIPIENT PROJECT DIRECTOR</b> (Name, phone and E-mail)		<b>10. TYPE OF AWARD</b> <input type="checkbox"/> NEW <input type="checkbox"/> CONTINUATION <input type="checkbox"/> RENEWAL <input type="checkbox"/> REVISION <input type="checkbox"/> INCREMENTAL FUNDING	
<b>9. RECIPIENT BUSINESS OFFICER</b> (Name, phone and E-mail)			
<b>11. DOE PROJECT OFFICER</b> (Name, address, phone and E-mail)		<b>12. DOE AWARD ADMINISTRATOR</b> (Name, address, phone and E-mail)	
<b>13. RECIPIENT TYPE</b> <input type="checkbox"/> STATE GOV'T <input type="checkbox"/> INDIAN TRIBAL GOV'T <input type="checkbox"/> HOSPITAL <input type="checkbox"/> FOR PROFIT ORGANIZATION <input type="checkbox"/> INDIVIDUAL <input type="checkbox"/> LOCAL GOV'T <input type="checkbox"/> INSTITUTION OF HIGHER EDUCATION <input type="checkbox"/> OTHER NONPROFIT ORGANIZATION <input type="checkbox"/> C <input type="checkbox"/> P <input type="checkbox"/> SP <input type="checkbox"/> OTHER (Specify)			
<b>14. ACCOUNTING AND APPROPRIATIONS DATA:</b>  <b>N/A</b>		<b>15. EMPLOYER I.D.</b> a. TIN: b. DUNS:	
<b>16. BUDGET AND FUNDING INFORMATION</b>			
<b>a. CURRENT BUDGET PERIOD INFORMATION</b>		<b>b. CUMULATIVE DOE OBLIGATIONS</b>	
(1) DOE Funds Obligated This Action                      \$ _____ (2) DOE Funds Authorized for Carry Over                      \$ _____ (3) DOE Funds Previously Obligated in this Budget Period \$ _____ (4) DOE Share of Total Approved Budget                      \$ _____ (5) Recipient Share of Total Approved Budget                      \$ _____ (6) Total Approved Budget                      \$ _____		(1) This Budget Period                      \$ _____ [Total of lines a.(1) and a.(3)] (2) Prior Budget Periods                      \$ _____ (3) Project Period to Date                      \$ _____ [Total of lines b.(1) and b.(2)]	
<b>17. TOTAL ESTIMATED COST OF PROJECT, INCLUDING DOE FUNDS TO FFRDC:</b> \$ _____ (This is the current estimated cost of the project. It is not a promise to award nor an authorization to expend funds in this amount.)			
<b>18. AWARD AGREEMENT TERMS AND CONDITIONS</b> This award/agreement consists of this form plus the following: a. Special terms and conditions. b. Applicable program regulations (specify) <u>N/A</u> (Date) _____ c. DOE Assistance Regulations, 10 CFR Part 600 at <a href="http://ecfr.gpoaccess.gov">http://ecfr.gpoaccess.gov</a> and if the award is for research and to a university or non-profit, the Research Terms & Conditions and the DOE Agency Specific Requirements at <a href="http://www.nsf.gov/bfa/dias/policy/rtc/index.jsp">http://www.nsf.gov/bfa/dias/policy/rtc/index.jsp</a> d. Application/proposal as approved by DOE. e. National Policy Assurances to Be Incorporated as Award Terms in effect on date of award at <a href="http://www.management.energy.gov/business_doe/1374.htm">http://www.management.energy.gov/business_doe/1374.htm</a> .			
<b>19. REMARKS</b> The following terms and conditions, attached hereto, are made a part hereof: (1) the Cumulative Budget page in the amount of \$ _____ for the _____-year Project Period (the total amount to be funded for the Budget Period specified in Block No. 6 is shown in Block No. 16.a.(4)); (2) the Special Terms and Conditions for Grants and Cooperative Agreements, coded Special T&C/xxxx; (3) the Federal Assistance Reporting Checklist and Instructions, dated _____; (4) [Intellectual Property Provisions are to be determined based on the Recipient Type and will be incorporated into the award]; and (5) The Statement of Project Objectives.			
<b>20. EVIDENCE OF RECIPIENT ACCEPTANCE</b>		<b>21. AWARDED BY</b>	
_____ (Signature of Authorized Recipient Official)                      (Date)		_____ (Signature)                      (Date)	
_____ (Name)		_____ (Name)	
_____ (Title)		_____ (Title)	

## Special Terms and Conditions for Grants and Cooperative Agreements

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## Special Terms and Conditions for Use in Most Grants and Cooperative Agreements

### 1a. RESOLUTION OF CONFLICTING

CONDITIONS

Any apparent inconsistency between Federal statutes and regulations and the terms and conditions contained in this award, as shown in Block 18 of the Notice of Financial Assistance Award (NFAA), must be referred to the DOE Award Administrator identified in Block 12 of the NFAA for guidance.

### 1b. FEDERAL DEMONSTRATION PARTNERSHIP PHASE IV AND V

[Required for grant/cooperative agreements to all Federal Demonstration Partnership (FDP) participating institutions.]

This institution is a signatory to the Federal Demonstration Partnership (FDP) Phase IV or V Agreement which requires active institutional participation in new or ongoing FDP demonstrations and pilots.

## 2. PAYMENT PROCEDURES

### ☐ a. **ALTERNATE 1 - ADVANCES THROUGH THE AUTOMATED STANDARD APPLICATION FOR PAYMENTS (ASAP) SYSTEM**

- (1) Method of Payment. Payment will be made by advances through the Department of Treasury's ASAP system.
- (2) Requesting Advances. Requests for advances must be made through the ASAP system. You may submit requests as frequently as required to meet your needs to disburse funds for the Federal share of project costs. If feasible, you should time each request so that you receive payment on the same day that you disburse funds for direct project costs and the proportionate share of any allowable indirect costs. If same-day transfers are not feasible, advance payments must be as close as is administratively feasible to actual disbursements.
- (3) Adjusting payment requests for available cash. You must disburse any funds that are available from repayments to and interest earned on a revolving fund, program income, rebates, refunds, contract settlements, audit recoveries, credits, discounts, and interest earned on any of those funds before requesting additional cash payments from DOE/NNSA.
- (4) Payments. All payments are made by electronic funds transfer to the bank account identified on the ASAP Bank Information Form that you filed with the U.S. Department of Treasury.

### ☐ b. **ALTERNATE 2 - REIMBURSEMENT THROUGH THE AUTOMATED STANDARD APPLICATION FOR PAYMENTS (ASAP) SYSTEM**

- (1) Method of Payment. Payment will be made by reimbursement through the Department of Treasury's ASAP system.
- (2) Requesting Reimbursement. Requests for reimbursements must be made through the ASAP system. Your requests for reimbursement should coincide with your normal billing pattern, but not more frequently than every two weeks. Each request must be limited to the amount of disbursements made for the federal share of direct project costs and the proportionate share of allowable indirect costs incurred during that billing period.
- (3) Adjusting payment requests for available cash. You must disburse any funds that are available from repayments to and interest earned on a revolving fund, program income, rebates, refunds, contract settlements, audit recoveries, credits, discounts, and interest earned on any of those funds before requesting additional cash payments from DOE/NNSA.
- (4) Payments. All payments are made by electronic funds transfer to the bank account identified on the ASAP Bank Information Form that you filed with the U.S. Department of Treasury.

### ☐ c. **ALTERNATE 3 - REIMBURSEMENT THROUGH THE AUTOMATED CLEARING HOUSE (ACH) VENDER INQUIRY PAYMENT ELECTRONIC REPORTING SYSTEM (VIPERS)**

- (1) Method of Payment. Payment will be made by reimbursement through ACH.
- (2) Requesting Reimbursement. Requests for reimbursements must be made electronically through Department of Energy's Oak Ridge Financial Service Center (ORFSC) VIPERS. To access and use VIPERS, you must enroll at <https://finweb.oro.doe.gov/vipers.htm>. Detailed instructions on how to enroll are provided on the web site.

For non-construction awards, you must submit a Standard Form (SF) 270, "Request for Advance or Reimbursement" at <https://finweb.oro.doe.gov/vipers.htm> and attach a file containing appropriate supporting documentation. The file attachment must show the total federal share claimed on the SF 270, the non-federal share claimed for the billing period if cost

sharing is required, and cumulative expenditures to date (both Federal and non-Federal) for each of the following categories: salaries/wages and fringe benefits; equipment; travel; participant/training support costs, if any; other direct costs, including subawards/contracts; and indirect costs. For construction awards, you must submit a SF 271, "Outlay Report and Request for Reimbursement for Construction Programs," through VIPERS.

construction awards, you must submit a SF 271, "Outlay Report and Request for Reimbursement for Construction Programs," to:

U.S. Department of Energy  
Oak Ridge Financial Service Center  
P.O. Box 5748  
Oak Ridge, TN 37831

- (3) Timing of submittals. Submittal of the SF 270 or SF 271 should coincide with your normal billing pattern, but not more frequently than every two weeks. Requests for reimbursement must be limited to the amount of disbursements made during the billing period for the federal share of direct project costs and the proportionate share of any allowable indirect costs incurred during that billing period.
- (4) Adjusting payment requests for available cash. You must disburse any funds that are available from repayments to and interest earned on a revolving fund, program income, rebates, refunds, contract settlements, audit recoveries, credits, discounts, and interest earned on any of those funds before requesting additional cash payments from DOE/NNSA.
- (5) Payments. The DOE approving official will approve the invoice as soon as practicable but not later than 30 days after your request is received, unless the billing is improper. Upon receipt of an invoice payment authorization from the DOE approving official, the ORFSC will disburse payment to you. You may check the status of your payments at the VIPER web site. All payments are made by electronic funds transfer to the bank account identified on the ACH Vendor/Miscellaneous Payment Enrollment Form (SF 3881) that you filed.

☐ d. **ALTERNATE 4 - REIMBURSEMENT THROUGH THE AUTOMATED CLEARING HOUSE (ACH)**

- (1) Method of Payment. Payment will be made by reimbursement through ACH.
- (2) Requesting Reimbursement. For non-construction awards, you must submit a Standard Form (SF) 270, "Request for Advance or Reimbursement" and appropriate supporting documentation to the address listed below. The supporting documentation must show the total federal share claimed on the SF 270, the non-federal share claimed for the billing period if cost sharing is required, and cumulative expenditures to date (both Federal and non-Federal) for each of the following categories: salaries/wages and fringe benefits; equipment; travel; participant/training support costs, if any; other direct costs, including subawards/contracts; and indirect costs. For

- (3) Timing of submittals. Submittal of the SF 270 or SF 271 should coincide with your normal billing pattern, but not more frequently than every two weeks. Requests for reimbursement must be limited to the amount of disbursements made during the billing period for the federal share of direct project costs and the proportionate share of any allowable indirect costs incurred during that billing period.
- (4) Adjusting payment requests for available cash. You must disburse any funds that are available from repayments to and interest earned on a revolving fund, program income, rebates, refunds, contract settlements, audit recoveries, credits, discounts, and interest earned on any of those funds before requesting additional cash payments from DOE/NNSA.
- (5) Payments. The DOE approving official will approve the invoice as soon as practicable but not later than 30 days after your request is received, unless the billing is improper. Upon receipt of an invoice payment authorization from the DOE approving official, the DOE Oak Ridge Financial Service Center (ORFSC) will disburse payments to you. All payments are made by electronic funds transfer to the bank account identified on the ACH Vendor/Miscellaneous Payment Enrollment Form (SF 3881) that you filed.

**3. INCREMENTAL FUNDING AND MAXIMUM OBLIGATION**

a. **ALTERNATE 1 - APPLIES IF BUDGET PERIOD AND PROJECT PERIOD ARE DIFFERENT AND THE BUDGET PERIOD IS NOT FULLY FUNDED**

If at any time during the award a budget period is funded on an incremental basis, the maximum obligation of the DOE/NNSA is limited to the amount shown in Block 16.b.(3) "CUMULATIVE DOE OBLIGATIONS Project Period to Date" on the Notice of Financial Assistance Award. You are not obligated to continue performance of the project beyond the total amount shown in Block 16.b.(3) and your pro rata share of the project costs, if cost sharing is required. Subject to the availability of additional funds, DOE anticipates

obligating the total amount shown in Block 16.a.(4) for the current budget period.

b. **ALTERNATE 2 – APPLIES IF BUDGET PERIOD AND PROJECT PERIOD ARE COEXTENSIVE AND THE AWARD IS NOT FULLY FUNDED**

This award is funded on an incremental basis. The maximum obligation of the DOE/NNSA is limited to the amount shown in Block 16.b.(3) “CUMULATIVE DOE OBLIGATIONS Project Period to Date” on the Notice of Financial Assistance Award. You are not obligated to continue performance of the project beyond the total amount shown in Block 16.b.(3) and your pro rata share of the project costs, if cost sharing is required. Additional funding is contingent upon the availability of appropriated funds and substantial progress towards meeting the objectives of the award.

**4. REBUDGETING AND RECOVERY OF INDIRECT COSTS**

☒ a. **ALTERNATE 1 – INDIRECT COSTS AND FRINGE BENEFITS ARE REIMBURSABLE**

- (1) If actual allowable indirect costs are less than those budgeted and funded under the award, you may use the difference to pay additional allowable direct costs during the project period. If at the completion of the award the Government’s share of total allowable costs (i.e., direct and indirect), is less than the total costs reimbursed, you must refund the difference.
- (2) Recipients are expected to manage their indirect costs. DOE will not amend an award solely to provide additional funds for changes in indirect cost rates (See “Incremental Funding and Maximum Obligation article). DOE recognizes that the inability to obtain full reimbursement for indirect costs means the recipient must absorb the underrecovery. Such underrecovery may be allocated as part of the organization’s required cost sharing.

☐ b. **ALTERNATE 2 – INDIRECT COSTS ARE REIMBURSEABLE BUT FRINGE BENEFITS ARE NOT**

- (1) If actual allowable indirect costs are less than those budgeted and funded under the award, you may use the difference to pay additional allowable direct costs during the project period. If at the completion of the award the Government’s share of total allowable costs (i.e., direct and indirect), is less than the total costs reimbursed, you must refund the difference.
- (2) Recipients are expected to manage their indirect costs. DOE will not amend an award solely to provide additional funds for changes in indirect cost rates (See “Incremental Funding and

Maximum Obligation” article). DOE recognizes that the inability to obtain full reimbursement for indirect costs means the recipient must absorb the underrecovery. Such underrecovery may be allocated as part of the organization’s required cost sharing.

- (3) The budget for this award includes indirect costs, but does not include fringe benefits. Therefore, fringe benefit costs shall not be charged to nor shall reimbursement be requested for this project nor shall the fringe benefit costs for this project be allocated to any other federally sponsored project. In addition, fringe benefit costs shall not be counted as cost share unless approved by the Contracting Officer.

☐ c. **ALTERNATE 3 – INDIRECT COSTS AND FRINGE BENEFITS ARE NOT REIMBURSABLE**

The budget for this award does not include indirect costs or fringe benefits. Therefore, these expenses shall not be charged to nor reimbursement requested for this project nor shall the fringe and indirect costs from this project be allocated to any other federally sponsored project. In addition, indirect costs or fringe benefits shall not be counted as cost share unless approved by the Contracting Officer.

**5. STATEMENT OF FEDERAL STEWARDSHIP**

DOE/NNSA will exercise normal Federal stewardship in overseeing the project activities performed under this award. Stewardship activities include, but are not limited to, conducting site visits; reviewing performance and financial reports; providing technical assistance and/or temporary intervention in unusual circumstances to correct deficiencies which develop during the project; assuring compliance with terms and conditions; and reviewing technical performance after project completion to ensure that the award objectives have been accomplished.

**6. STATEMENT OF SUBSTANTIAL INVOLVEMENT (Applicable only if this is a cooperative agreement)**

A Statement of Substantial Involvement applicable to this cooperative agreement is provided as an attachment to this award.

**7. SITE VISITS**

DOE/NNSA’s authorized representatives have the right to make site visits at reasonable times to review project accomplishments and management control systems and to provide technical assistance, if required. You must provide, and must require your subawardees to provide, reasonable access to facilities, office space, resources, and assistance for the safety and convenience of the

government representatives in the performance of their duties. All site visits and evaluations must be performed in a manner that does not unduly interfere with or delay the work.

## 8. REPORTING REQUIREMENTS

- a. Requirements. The reporting requirements for this award are identified on the Federal Assistance Reporting Checklist, DOE F 4600.2, attached to this award. Failure to comply with these reporting requirements is considered a material noncompliance with the terms of the award. Noncompliance may result in withholding of future payments, suspension or termination of the current award, and withholding of future awards. A willful failure to perform, a history of failure to perform, or unsatisfactory performance of this and/or other financial assistance awards, may also result in a debarment action to preclude future awards by Federal agencies.
- b. Dissemination of scientific/technical reports. Scientific/technical reports submitted under this award will be disseminated on the Internet via the DOE Information Bridge ([www.osti.gov/bridge](http://www.osti.gov/bridge)), unless the report contains patentable material, protected data or SBIR/STTR data. Citations for journal articles produced under the award will appear on the DOE Energy Citations Database ([www.osti.gov/energycitations](http://www.osti.gov/energycitations)).
- c. Restrictions. Reports submitted to the DOE Information Bridge must not contain any Protected Personal Identifiable Information (PII), limited rights data (proprietary data), classified information, information subject to export control classification, or other information not subject to release.

## 9. PUBLICATIONS

- a. You are encouraged to publish or otherwise make publicly available the results of the work conducted under the award.
- b. An acknowledgment of Federal support and a disclaimer must appear in the publication of any material, whether copyrighted or not, based on or developed under this project, as follows:

*Acknowledgment:* "This material is based upon work supported by the Department of Energy [National Nuclear Security Administration] [add name(s) of other agencies, if applicable] under Award Number(s) [enter the award number(s)]."

*Disclaimer:* "This report was prepared as an account of work sponsored by an agency of the United States Government. Neither the United States Government nor any agency thereof, nor any of their employees, makes any warranty, express or implied, or assumes any legal liability or responsibility for the accuracy, completeness, or usefulness of any information,

apparatus, product, or process disclosed, or represents that its use would not infringe privately owned rights. Reference herein to any specific commercial product, process, or service by trade name, trademark, manufacturer, or otherwise does not necessarily constitute or imply its endorsement, recommendation, or favoring by the United States Government or any agency thereof. The views and opinions of authors expressed herein do not necessarily state or reflect those of the United States Government or any agency thereof."

## 10. FEDERAL, STATE, AND MUNICIPAL REQUIREMENTS

You must obtain any required permits and comply with applicable federal, state, and municipal laws, codes, and regulations for work performed under this award.

## 11. INTELLECTUAL PROPERTY PROVISIONS AND CONTACT INFORMATION

- a. The intellectual property provisions applicable to this award are provided as an attachment to this award or are referenced in Block 19 of the Notice of Financial Assistance Award. A list of all intellectual property provisions may be found at [http://www.gc.doe.gov/financial\\_assistance\\_award\\_s.htm](http://www.gc.doe.gov/financial_assistance_award_s.htm).
- b. Questions regarding intellectual property matters should be referred to the DOE Award Administrator identified in Block 12 of the NFAA and the Patent Counsel designated as the service provider for the DOE office that issued the award. The IP Service Providers List is found at [http://www.gc.energy.gov/documents/Intellectual\\_Property\\_\(IP\)\\_Service\\_Providers\\_for\\_Acquisition.pdf](http://www.gc.energy.gov/documents/Intellectual_Property_(IP)_Service_Providers_for_Acquisition.pdf).

## 12. NATIONAL SECURITY: CLASSIFIABLE RESULTS ORIGINATING UNDER AN AWARD (Applicable only if this is a research award.)

- a. This award is intended for unclassified, publicly releasable research. You will not be granted access to classified information. DOE/NNSA does not expect that the results of the research project will involve classified information. Under certain circumstances, however, a classification review of information originated under the award may be required. The Department may review research work generated under this award at any time to determine if it requires classification.
- b. Executive Order 12958 (60 Fed. Reg. 19,825 (1995)) states that basic scientific research information not clearly related to the national security shall not be classified. Nevertheless, some information concerning (among other things) scientific, technological, or economic matters

relating to national security or cryptology may require classification. If you originate information during the course of this award that you believe requires classification, you must promptly:

- (1) Notify the DOE Project Officer identified in Block 11 and the DOE Award Administrator identified in Block 12 of the Notice of Financial Assistance Award.
  - (2) Submit the information by registered mail directly to the Director, Office of Classification and Information Control, SO-10.2; U.S. Department of Energy; P.O. Box A; Germantown, MD 20875-0963, for classification review.
  - (3) Restrict access to the information to the maximum extent possible until you are informed that the information is not classified, but no longer than 30 days after receipt by the Director, Office of Classification and Information Control.
- c. If you originate information concerning the production or utilization of special nuclear material (i.e., plutonium, uranium enriched in the isotope 233 or 235, and any other material so determined under section 51 of the Atomic Energy Act) or nuclear energy, you must:
- (1) Notify the DOE Project Officer identified in Block 11 and the DOE Award Administrator identified in Block 12 of the Notice of Financial Assistance Award.
  - (2) Submit the information by registered mail directly to the Director, Office of Classification and Information Control, SO-10.2; U.S. Department of Energy; P. O. Box A; Germantown, MD 20875-0963 for classification review within 180 days of the date the recipient first discovers or first has reason to believe that the information is useful in such production or utilization.
  - (3) Restrict access to the information to the maximum extent possible until you are informed that the information is not classified, but no longer than 90 days after receipt by the Director, Office of Classification and Information Control.
- d. If DOE determines any of the information requires classification, you agree that the Government may terminate the award by mutual agreement in accordance with 10 CFR 600.25(d). All material deemed to be classified must be forwarded to the DOE, in a manner specified by DOE.
- e. If DOE does not respond within the specified time periods, you are under no further obligation to restrict access to the information.

### 13. CONTINUATION APPLICATION AND FUNDING

- a. Continuation Application. A continuation application is a non-competitive application for an additional budget period within a previously approved project period. At least 90 days before the end of each budget period, you must submit to the DOE Project Officer identified in Block 11 of the Notice of Financial Assistance Award your continuation application, which includes the following information:
- (1) A report on your progress towards meeting the objectives of the project, including any significant findings, conclusions, or developments, and an estimate of any unobligated balances remaining at the end of the budget period. If the remaining unobligated balance is estimated to exceed 20 percent of the funds available for the budget period, explain why the excess funds have not been obligated and how they will be used in the next budget period.
  - (2) (i) Awards issued under 10 CFR Parts 602 and 605  
  
A completed budget page and supporting justification for the upcoming budget period when a change (increase or decrease) to anticipated future costs will exceed 25 percent of the original recommended future budget or when a budget for the upcoming budget period was not approved at the time of award.  
  
(ii) Awards issued under 10 CFR 600  
  
A detailed budget and supporting justification for the upcoming budget period if additional funds are requested, a reduction of funds is anticipated, or a budget for the upcoming budget period was not approved at the time of award.
  - (3) A description of your plans for the conduct of the project during the upcoming budget period, if there are changes from the DOE approved application.
- b. Continuation Funding. Continuation funding is contingent on (1) availability of funds; (2) substantial progress towards meeting the objectives of your approved application; (3) submittal of required reports; or (4) compliance with the terms and conditions of the award.

### 14. LOBBYING RESTRICTIONS

By accepting funds under this award, you agree that none of the funds obligated on the award shall be expended, directly or indirectly, to influence congressional action on any legislation or appropriation matters pending before Congress, other than to communicate to Members of Congress as described in

18 U.S.C. 1913. This restriction is in addition to those prescribed elsewhere in statute and regulation.

**15. NOTICE REGARDING THE PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS - SENSE OF CONGRESS**

It is the sense of the Congress that, to the greatest extent practicable, all equipment and products purchased with funds made available under this award should be American-made.

**16. ENVIRONMENTAL, SAFETY AND HEALTH (ES&H) PERFORMANCE OF WORK AT DOE FACILITIES**  
*[Applies to all financial assistance actions that may involve work to be performed at a DOE-owned or controlled site.]*

With respect to the performance of any portion of the work under this award which is performed at a DOE-owned or controlled site, the recipient agrees to comply with all State and Federal ES&H regulations and with all other ES&H requirements of the operator of such site.

Prior to the performance on any work at a DOE-Owned or controlled site, the recipient shall contact the site operator for information on DOE and site specific ES&H requirements.

The recipient shall apply this provision to its sub-recipients and contractors.

**17. INSOLVENCY, BANKRUPTCY OR RECEIVERSHIP**  
*[Applies to Non-Profit and For-Profit Recipients. Does not apply to Institutions of Higher Education, unless determined to be at risk.]*

- a. You shall immediately notify the DOE Administrator identified in Block 12 of the Notice of Financial Assistance Award of the occurrence of any of the following events:
- (1) You or your parent organization's filing of a voluntary case seeking liquidation or reorganization under the Bankruptcy Act;
  - (2) Your consent to the initiation of an involuntary case under the Bankruptcy Act against you or your parent organization;
  - (3) The filing of any similar proceeding for or against you or your parent organization, or its consent to, the dissolution, winding-up or readjustment of your debts, appointment of a receiver, conservator, trustee, or other officer with similar powers over you, under any other applicable state or federal law; or
  - (4) Your insolvency due to your inability to pay your debts generally as they become due.
- b. Such notification shall be in writing and shall:

- (1) Specifically set out the details of the occurrence of an event referenced in paragraph (a);
  - (2) Provide the facts surrounding that event; and
  - (3) Provide the impact such event will have on the project being funded by this award.
- c. Upon the occurrence of any of the four events described in paragraph (a), DOE reserves the right to conduct a review of your award to determine your compliance with the required elements of the award (including such items as cost share, progress towards technical project objectives, and submission of required reports). If the DOE review determines that there are significant deficiencies or concerns with your performance under the award, DOE reserves the right to impose additional requirements, as needed, including (i) change your payment method; or (ii) institute payment controls.
- d. Failure of the Recipient to comply with this provision may be considered a material noncompliance of this financial assistance award by the Contracting Officer.



1. Identification Number: DE-FG02-XXXXXXXXXX		2. Program/Project Title: TBD	
3. Recipient: TBD			
4. Reporting Requirements:		Frequency	No. of Copies
<b>A. MANAGEMENT REPORTING</b>			
<input checked="" type="checkbox"/> Progress Report		Q	1
<input checked="" type="checkbox"/> Special Status Report		A	1 1
<b>B. SCIENTIFIC/TECHNICAL REPORTING</b>			
(Reports/Products must be submitted with appropriate DOE F 241. The 241 forms are available at <a href="http://www.osti.gov/eflink">www.osti.gov/eflink</a> .)			
Report/Product	Form		
<input checked="" type="checkbox"/> Final Scientific/Technical Report	DOE F 241.3	F	<a href="http://www.osti.gov/eflink-2413">http://www.osti.gov/eflink-2413</a>
<input checked="" type="checkbox"/> Conference papers/proceedings*	DOE F 241.3	As required	<a href="http://www.osti.gov/eflink-2413">http://www.osti.gov/eflink-2413</a>
<input type="checkbox"/> Software/Manual	DOE F 241.4		
<input checked="" type="checkbox"/> Other (see special instructions) Topical Report: Final Design		As Required	1 See NFAA Block 11
* Scientific and technical conferences only			
<b>C. FINANCIAL REPORTING</b>			
<input checked="" type="checkbox"/> SF-269, Financial Status Report		Q, F	1 1 See NFAA Block 11 See NFAA Block 12
<input type="checkbox"/> SF-269A, Financial Status Report (Short Form)			
<input checked="" type="checkbox"/> SF-272, Federal Cash Transactions Report		Q, F (see note 5a)	1 See note 5a
<b>D. CLOSEOUT REPORTING</b>			
<input checked="" type="checkbox"/> Patent Certification		F	2 See NFAA Block 12
<input checked="" type="checkbox"/> Property Certification		F	2 See NFAA Block 12
<input type="checkbox"/> Other			
<b>E. OTHER REPORTING</b>			
<input type="checkbox"/> Annual Indirect Cost Proposal			
<input type="checkbox"/> Annual Inventory of Federally Owned Property, if any			
<input checked="" type="checkbox"/> Quarterly Email Status Report		Q	1 See NFAA Block 11
<input checked="" type="checkbox"/> Environmental Compliance Plan		As required	1 See NFAA Block 11
<input checked="" type="checkbox"/> Environmental Monitoring Plan		As required	1 See NFAA Block 11
<input checked="" type="checkbox"/> Environmental Status Report		As required	1 See NFAA Block 11
FREQUENCY CODES AND DUE DATES:			
A - Within 5 calendar days after events or as specified.			
F - Final; 90 calendar days after expiration or termination of the award.			
Y - Yearly; 90 days after the end of the reporting period.			
S - Semiannually; within 30 days after end of reporting period.			
Q - Quarterly; within 30 days after end of the reporting period.			
5. Special Instructions:			
a. <u>Federal Cash Transactions Report (SF-272)</u> : A Federal Cash Transactions Report is required to be submitted 30 calendar days following the end of each quarter when the recipient receives payment by ASAP. Reports should be submitted to: U.S. Department of Energy, Chicago Office, ATTN: ACCOUNTING AND FINANCE (CRA), 9800 South Cass Avenue, Argonne, IL, 60439.			
b. <u>Topical Report: Final Design</u> : The topics in the final design topical report include, but are not limited to: design report summary; overall demonstration plant design; the process concept and how it operates (including final process flow diagram(s) with major equipment items and energy and material balances around each major process unit and the overall plant, indicating temperature, pressure, and composition of major streams); important process chemistry and engineering concepts; the technology hardware, describing the attributes of the devices or modules or major pieces of equipment, such as geometry and size, environmental performance, and efficiency of operation; principles and engineering analysis and process data to support the design; and, the detailed capital and operating costs for the demonstration plant.			

## Federal Assistance Reporting Instructions (04/08)

### A. MANAGEMENT REPORTING

#### Progress Report

The Progress Report must provide a concise narrative assessment of the status of work and include the following information and any other information identified under Special Instructions on the Federal Assistance Reporting Checklist:

1. The DOE award number and name of the recipient.
2. The project title and name of the project director/principal investigator.
3. Date of report and period covered by the report.
4. A comparison of the actual accomplishments with the goals and objectives established for the period and reasons why the established goals were not met.
5. A discussion of what was accomplished under these goals during this reporting period, including major activities, significant results, major findings or conclusions, key outcomes or other achievements. **This section should not contain any proprietary data or other information not subject to public release.** If such information is important to reporting progress, do not include the information, but include a note in the report advising the reader to contact the Principal Investigator or the Project Director for further information.
6. Cost Status (**NOTE: Not applicable to research or conference awards issued under 10 CFR Part 605**). Show approved budget by budget period and actual costs incurred. If cost sharing is required break out by DOE share, recipient share, and total costs.
7. Schedule Status (**NOTE: Not applicable to research or conference awards issued under 10 CFR Part 605**). List milestones, anticipated completion dates and actual completion dates. If you submitted a project management plan with your application, you must use this plan to report schedule and budget variance. You may use your own project management system to provide this information.
8. Any changes in approach or aims and reasons for change. Remember significant changes to the objectives and scope require prior approval by the contracting officer.
9. Actual or anticipated problems or delays and actions taken or planned to resolve them.
10. Any absence or changes of key personnel or changes in consortium/teaming arrangement.
11. A description of any product produced or technology transfer activities accomplished during this reporting period, such as:

- a. Publications (list journal name, volume, issue); conference papers; or other public releases of results. Attach or send copies of public releases to the DOE Project Officer identified in Block 11 of the Notice of Financial Assistance Award.
- b. Web site or other Internet sites that reflect the results of this project.
- c. Networks or collaborations fostered.
- d. Technologies/Techniques.
- e. Inventions/Patent Applications.
- f. Other products, such as data or databases, physical collections, audio or video, software or netware, models, educational aid or curricula, instruments or equipment.

#### Special Status Report

The recipient must report the following events by e-mail as soon as possible after they occur:

1. Developments that have a significant favorable impact on the project.
2. Problems, delays, or adverse conditions which materially impair the recipient's ability to meet the objectives of the award or which may require DOE to respond to questions relating to such events from the public. The recipient must report any of the following incidents and include the anticipated impact and remedial action to be taken to correct or resolve the problem/condition:
  - a. Any single fatality or injuries requiring hospitalization of five or more individuals.
  - b. Any significant environmental permit violation.
  - c. Any verbal or written Notice of Violation of any Environmental, Safety, and Health statutes.
  - d. Any incident which causes a significant process or hazard control system failure.
  - e. Any event which is anticipated to cause a significant schedule slippage or cost increase.
  - f. Any damage to Government-owned equipment in excess of \$50,000.
  - g. Any other incident that has the potential for high visibility in the media.

## B. SCIENTIFIC/TECHNICAL REPORTS

### Final Scientific/Technical Report

**Content.** The final scientific/technical report must include the following information and any other information identified under Special Instructions on the Federal Assistance Reporting Checklist:

1. Identify the DOE award number; name of recipient; project title; name of project director/principal investigator; and consortium/teaming members.
2. Display prominently on the cover of the report any authorized distribution limitation notices, such as patentable material or protected data. Reports delivered without such notices may be deemed to have been furnished with unlimited rights, and the Government assumes no liability for the disclosure, use or reproduction of such reports.
3. Provide an executive summary, which includes a discussion of 1) how the research adds to the understanding of the area investigated; 2) the technical effectiveness and economic feasibility of the methods or techniques investigated or demonstrated; or 3) how the project is otherwise of benefit to the public. The discussion should be a minimum of one paragraph and written in terms understandable by an educated layman.
4. Provide a comparison of the actual accomplishments with the goals and objectives of the project.
5. Summarize project activities for the entire period of funding, including original hypotheses, approaches used, problems encountered and departure from planned methodology, and an assessment of their impact on the project results. Include, if applicable, facts, figures, analyses, and assumptions used during the life of the project to support the conclusions.
6. Identify products developed under the award and technology transfer activities, such as:
  - a. Publications (list journal name, volume, issue), conference papers, or other public releases of results. If not provided previously, attach or send copies of any public releases to the DOE Project Officer identified in Block 11 of the Notice of Financial Assistance Award;
  - b. Web site or other Internet sites that reflect the results of this project;
  - c. Networks or collaborations fostered;
  - d. Technologies/Techniques;
  - e. Inventions/Patent Applications, licensing agreements; and
  - f. Other products, such as data or databases, physical collections, audio or video, software or netware, models, educational aid or curricula, instruments or equipment.

7. For projects involving computer modeling, provide the following information with the final report:
  - a. Model description, key assumptions, version, source and intended use;
  - b. Performance criteria for the model related to the intended use;
  - c. Test results to demonstrate the model performance criteria were met (e.g., code verification/validation, sensitivity analyses, history matching with lab or field data, as appropriate);
  - d. Theory behind the model, expressed in non-mathematical terms;
  - e. Mathematics to be used, including formulas and calculation methods;
  - f. Whether or not the theory and mathematical algorithms were peer reviewed, and, if so, include a summary of theoretical strengths and weaknesses;
  - g. Hardware requirements; and
  - h. Documentation (e.g., users guide, model code).

**Electronic Submission.** The final scientific/technical report must be submitted electronically via the DOE Energy Link System (E-Link) accessed at <http://www.osti.gov/elinek-2413>.

**Electronic Format.** Reports must be submitted in the ADOBE PORTABLE DOCUMENT FORMAT (PDF) and be one integrated PDF file that contains all text, tables, diagrams, photographs, schematic, graphs, and charts. Materials, such as prints, videos, and books, that are essential to the report but cannot be submitted electronically, should be sent to the Contracting Officer at the address listed in Block 12 of the Notice of Financial Assistance Award.

**Submission Form.** The report must be accompanied by a completed electronic version of DOE Form 241.3, "U.S. Department of Energy (DOE), Announcement of Scientific and Technical Information (STI)." You can complete, upload, and submit the DOE F.241.3 online via E-Link. You are encouraged not to submit patentable material or protected data in these reports, but if there is such material or data in the report, you must: (1) clearly identify patentable or protected data on each page of the report; (2) identify such material on the cover of the report; and (3) mark the appropriate block in Section K of the DOE F 241.3. Reports must not contain any limited rights data (proprietary data), classified information, information subject to export control classification, or other information not subject to release. Protected data is specific technical data, first produced in the performance of the award that is protected from public release for a period of time by the terms of the award agreement.

**Protected Personally Identifiable Information (PII).** Management Reports or Scientific/Technical Reports must not contain any *Protected PII*. PII is any information about an individual which can be used to distinguish or trace an individual's identity. Some information that is considered to be PII is available in public sources such as telephone books, public websites, university listings, etc. This type of information is considered to be Public PII and includes, for example, first and last name, address, work telephone number, e-mail address, home telephone number, and general educational credentials. In contrast, *Protected PII* is defined as an individual's first name or first initial and last name in combination with any one or more of types of information, including, but not limited to, social security number, passport number, credit card numbers, security clearances, bank numbers, biometrics (e.g., fingerprint, iris scan, DNA), date and place of birth, mother's maiden name, criminal, medical and financial records, educational transcripts, etc.

#### **Conference Papers/Proceedings**

**Content:** The recipient must submit a copy of any conference papers/proceedings, with the following information: (1) Name of conference; (2) Location of conference; (3) Date of conference; and (4) Conference sponsor.

**Electronic Submission.** Scientific/technical conference paper/proceedings must be submitted electronically-via the DOE Energy Link System (E-Link) at <http://www.osti.gov/mlink-2413>. Non-scientific/technical conference papers/proceedings must be sent to the URL listed on the Reporting Checklist.

**Electronic Format.** Conference papers/proceedings must be submitted in the ADOBE PORTABLE DOCUMENT FORMAT (PDF) and be one integrated PDF file that contains all text, tables, diagrams, photographs, schematic, graphs, and charts. If the proceedings cannot be submitted electronically, they should be sent to the DOE Administrator at the address listed in Block 12 of the Notice of Financial Assistance Award.

**Submittal Form.** Scientific/technical conference papers/proceedings must be accompanied by a completed DOE Form 241.3. The form and instructions are available on E-Link at <http://www.osti.gov/mlink-2413>. This form is not required for non-scientific or non-technical conference papers or proceedings.

#### **Software/Manual**

**Content.** Unless otherwise specified in the award, the following must be delivered: source code, the executable object code and the minimum support documentation needed by a competent user to understand and use the software and to be able to modify the software in subsequent development efforts.

**Electronic Submission.** Submissions may be submitted electronically-via the DOE Energy Link System (E-Link) at <http://www.osti.gov/estsc/241-4pre.jsp>. They may also be submitted via regular mail to:

Energy Science and Technology Software Center  
P.O. Box 1020  
Oak Ridge, TN 37831

**Submittal Form.** Each software deliverable and its manual must be accompanied by a completed DOE Form 241.4 "Announcement of U.S. Department of Energy Computer Software." The form and instructions are available on E-Link at <http://www.osti.gov/estsc/241-4pre.jsp>.

### **C. FINANCIAL REPORTING**

Recipients must complete the financial reports identified on the Reporting Checklist in accordance with the report instructions. These standard forms are available at <http://www.whitehouse.gov/omb/grants/index.html>. Fillable forms are available at [http://management.energy.gov/business\\_doe/business\\_for\\_ms.htm](http://management.energy.gov/business_doe/business_for_ms.htm).

### **D. CLOSEOUT REPORTS**

#### **Final Invention and Patent Report**

The recipient must provide a DOE Form 2050.11, "PATENT CERTIFICATION." This form is available at <http://www.directives.doe.gov/pdfs/forms/2050-11.pdf> and [http://management.energy.gov/business\\_doe/business\\_for\\_ms.htm](http://management.energy.gov/business_doe/business_for_ms.htm).

#### **Property Certification**

The recipient must provide the Property Certification, including the required inventories of non-exempt property, located at [http://management.energy.gov/business\\_doe/business\\_for\\_ms.htm](http://management.energy.gov/business_doe/business_for_ms.htm).

### **E. OTHER REPORTING**

#### **Annual Indirect Cost Proposal and Reconciliation (NOTE: Applicable to Commercial Organizations Only)**

**Requirement.** In accordance with the applicable cost principles, the recipient must submit an annual indirect cost proposal, reconciled to its financial statements, within six months after the close of the fiscal year, unless the award is based on a predetermined or fixed indirect rate(s), or a fixed amount for indirect or facilities and administration (F&A) costs.

**Cognizant Agency.** The recipient must submit its annual indirect cost proposal directly to the cognizant agency for negotiating and approving indirect costs. If the DOE awarding office is the cognizant agency, submit the annual indirect cost proposal to the DOE Award Administrator identified in Block 12 of the Notice of Financial Assistance Award.

## **Annual Inventory of Federally Owned Property**

**Requirement.** If at any time during the award the recipient is provided Government-furnished property or acquires property with project funds and the award specifies that the property vests in the Federal Government (i.e. federally owned property), the recipient must submit an annual inventory of this property to the DOE Award Administrator identified in Block 12 of the Notice of Financial Assistance Award no later than October 30<sup>th</sup> of each calendar year, to cover an annual reporting period ending on the preceding September 30<sup>th</sup>.

**Content of Inventory.** The inventory must include a description of the property, tag number, acquisition date, location of property, and acquisition cost, if purchased with project funds. The report must list all federally owned property, including property located at subcontractor's facilities or other locations.

### **Other**

Three copies of reports, reprints, conference papers, etc. must be submitted as soon as possible after the event occurs (10 CFR 605.19(a)(3)) when deemed appropriate by the recipient.